

(c) 'Common name' shall mean any designation or identification such as a code name, code number, trade name, brand name or generic name used to identify a chemical other than by its chemical name.

(d) 'Distributor' shall mean any business, other than a chemical manufacturer or importer, which supplies hazardous chemicals to other distributors or to purchasers.

(e) 'Employee' shall mean any person who is employed by an employer under normal operating conditions.

(f) 'Employer' means a person engaged in business who has employees, including the State and its political subdivisions but excluding an individual whose only employees are domestic workers or casual laborers who are hired to work at the individual's residence.

(g) 'Facility' shall mean one or more establishments, factories, or buildings located at one contiguous site in North Carolina.

(h) 'Fire Chief' shall mean Fire Chief or Fire Marshall, or Emergency Response Coordinator in the absence of a Fire Chief or Fire Marshall for the appropriate local fire department.

(i) 'Fire Company' shall mean the company or firehouse or other administrative unit within the Fire Department located closest to the facility.

(j) 'Fire Department' shall mean the fire department having jurisdiction over the facility.

(k) 'Hazardous chemical' shall mean any element, chemical compound or mixture of elements and/or compounds which is a physical hazard or health hazard as defined in subsection (c) of the NCOSHA Standard or a hazardous substance as defined in subsection (d) (3) of the NCOSHA Standard.

(l) 'Hazardous Substance List' shall mean the list required by G.S. 95-191.

(m) 'Hazardous substance trade secret' means any formula, plan, pattern, device, process, production information, or compilation of information, which is not patented, which is known only to the employer, the employer's licensees, the employer's employees, and certain other individuals, and which is used or developed for use in the employer's business, and which gives the employer possessing it the opportunity to obtain a competitive advantage over businesses who do not possess it, or the secrecy of which is certified by an appropriate official of the federal government as necessary for national defense purposes. The chemical name and Chemical Abstracts Service number of a substance shall be considered a trade secret only if the employer can establish that the identity or composition of the substance cannot be readily ascertained without undue expense by analytical techniques, laboratory procedures, or other lawful means available to a competitor.

(n) 'Label' shall mean any written, printed, or graphic material displayed on or affixed to containers of hazardous chemicals.

(o) 'Manufacturing facility' shall mean a facility classified in SIC Codes 20 through 39 which manufactures or uses a hazardous chemical or chemicals in North Carolina.

(p) 'Material Safety Data Sheets' or 'MSDS' mean chemical information sheets drawn up in conformity to standards for material